

## **REMARKS**

The present invention is a terminal having a first receiver for receiving a first signal transmitted from a first communications network and a method of receiving a first signal by a mobile terminal transmitted from a first communications network. In accordance with an embodiment of the invention, a mobile terminal 200 having a first receiver 202 for receiving a first signal from a first communications network 272 includes a second receiver 206 within the mobile terminal for receiving a second signal conveying complementary information (SI) relating to the first signal transmitted from the second communications network 274.

Claims 1-3, 5-8, 10, 18-21, and 38-39 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 6,606,481 (Tegler et al). With respect to independent claims 1, 18 and 38 the Examiner reasons as follows:

Regarding claims 1, Tegler discloses a terminal having a first receiver for receiving a first signal from a first communications network (see fig. 2; incoming broadband signal) comprising: a second receiver for receiving a second signal (see fig. 2; GSM incl. SIM antenna) conveying complementary information relating to said first signal from a second communications network (see fig. 2 and col. 3, lines 25-59).

Regarding claims 18-21, Tegler also discloses a method of receiving a first signal from a first communications network comprising: receiving a second signal conveying complementary information relating to said first signal from a second communications network (see explanation in claim 1); receiving said first signal in accordance with said complementary information (see explanation in claim 2); storing user preferences (see explanation in claim 5); deciding whether said second signal should be received in dependence on said stored user preferences (see explanation in claim 6).

Regarding claim 38, Tegler also discloses a method of receiving a first signal from a first communications network comprising receiving a second signal conveying complementary information relating to said first signal from a second communications network, and combining

said information from said second signal with content in said first signal (see fig. 2 and col. 3, lines 25-59).

These grounds of rejection are traversed for the following reasons.

The Examiner, in the rejection of independent claims 1, 18 and 38, reasons that Fig. 2 of Tegler et al and specifically, column 3, lines 25-29, disclose a second receiver for receiving a second signal conveying complementary information relating to said first signal from a second communications network. The Examiner has erroneously construed Tegler et al to disclose this subject matter.

Tegler et al disclose a set top box which receives an incoming broadband signal and also has a cellular link as depicted in Figs. 2-5. However, the utilization of the cellular link does not receive "a second signal conveying complementary information relating to said first signal transmitted from a second communications network" as recited in claim 1, "receiving a second signal with said mobile terminal conveying complementary information relating to said first signal, second communications network" as recited in claim 18 and "receiving with said mobile terminal a second signal conveying complementary information relating to said first signal from a second communications network" as recited in claim 38. The cellular link is disclosed as receiving "interactive instructions from STB or mobile telephone, instructions are recoded and transmitted to DC" which "then transmits broadband services corresponding to said instructions via said networks to the STB as can be seen in Figure 1." See column 3, lines 34-47. Furthermore, column 3, lines 47-67, through column 4, lines 1-5 describe additional utilizations of the GSM network as an interactive channel. For example, selection of content to be received on the broadband link may be transmitted via the GSM and further, data may be transmitted in the downlink. However, it is submitted that Tegler et al do not disclose

the foregoing subject matter which requires the signal which is received by the GSM receiver associated with the set top box to receive a second signal conveying complementary information related to a first signal transmitted from the second communications network. It is therefore seen that while Tegler et al's cellular connection provides a wireless link, the transmission of information on the wireless link is not as recited in independent claims 1, 18 and 38 as receiving a second signal conveying complementary information related to said first signal transmitted from the second communications network. Accordingly, the rejection of claims 1, 18 and 38 as being anticipated by Tegler et al is erroneous and should be withdrawn.

Furthermore, dependent claims 2-3, 5-8, 10, 19-21, and 39 further limit independent claims 1, 18 and 38 in a manner which is not anticipated by Tegler et al for the following reasons:

Claim 2 further limits claim 1 in reciting "a controller for configuring said first receiver according to said complementary information. The Examiner's reference to column 3, lines 25-59, does not describe a controller for configuring the broadband receiver according to complementary information and does not disclose complementary information pertaining to configuration of the receiver as recited in claim 2.

Claim 3 further limits claim 1 in reciting the first receiver is unable to receive

said first signal in response to said complementary information. It is submitted that this subject matter is not disclosed in column 3, lines 25-59, since the described utilization of the cellular channel does not describe any "enablement" function.

Claim 5 further limits claim 1 in reciting storage means for storing user preferences. It is submitted that column 3, lines 60 to column 4, line 5, do not describe user preferences.

Claim 6 further limits claim 5 in reciting decision means for deciding whether said second signal should enable said first receiver in dependence on the stored references. As stated above, there is no disclosure of storage of user preferences and moreover, there is no disclosure in Tegler et al of enabling the first receiver in dependence on stored user preferences.

Claims 7-9 are patentable for the same reasons set forth above with respect to claim 1.

Claim 10 further limits claim 1 in reciting the first signal includes a data file with the terminal being actuatable in response to said complementary information to receive said data file. It is submitted that Tegler et al do not disclose this subject matter.

Dependent claims 19-21 are patentable for the same reasons set forth above with respect to claims 2, 5, and 6.

Dependent claim 39 further limits claim 38 in reciting complementary information comprises personal data with the data being combined with generic data forming said content of said first signal. It is submitted that column 3, lines 25 to column 4, line 5, do not disclose this relationship. If the Examiner persists in the stated grounds of rejection, it is requested that he further clarify on the record how he interprets Tegler et al to disclose the complementary information comprising personal data with the data being combined with generic data forming said content of said first signal as recited in claim 39.

Claims 4 and 40 stand rejected under 35 U.S.C. §103 as being unpatentable over Tegler et al in view of United States Patent 6,774,926 (Ellis et al). These grounds of rejection are traversed for the following reasons.

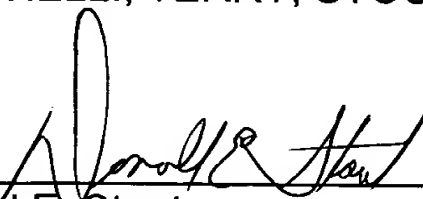
Claims 4 and 40 respectively limit claims 1 and 38 in reciting that the complementary information comprises schedule and configuration data. Ellis et al has been cited as mentioning a second signal comprising a schedule in column 9, lines 31-46. However, Ellis et al do not cure the deficiencies noted above with respect to Tegler et al. The reference in column 9 pertaining to a set top box displaying schedule information would not motivate a person of ordinary skill in the art to modify Tegler et al to arrive at the subject matter of claims 4 and 40 except by impermissible hindsight.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (0171.40305X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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